REMARKS

Claims 1, 2, 4-7, 9-17, 19-22, 24-27, 29, 30, 32-36, and 38 are currently pending in the application. Claims 1, 2, 4-7, 9, 10, 12, 13, 17, 21, 22, 24-27, and 29 are amended. Claims 3, 8, 18, 23, 28, 31, and 37 are cancelled. No new claims are added. Reconsideration and allowance of all the rejected claims are respectfully requested in view of the following remarks.

REJECTION UNDER 35 U.S.C. § 102(e)

Claims 1, 4-6, 9-12, 14-17, 19-21, 24-26, and 29-30 are currently rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No.6,371,765, to Wall et al. ("Wall"). Applicants traverse these rejections for at least the reasons that Wall fails to anticipate all of the claimed elements.

The invention relates at least to evaluating individual's information technology (IT) skills. One aspect of the invention relates to emulating an IT problem state and an associated operating system(s) described in an IT exercise, and evaluating the individual's actions in response to the IT exercise presented. Claim 1 recites, among other things, "for each of the IT exercises, pre-configuring each of the one or more of the plurality of virtual machines with at least a set of virtual machine files ... for a selected IT exercise, launching the one or more of the plurality of virtual machines associated with the IT exercise in the virtual machine state and operating system, using the set of virtual machine files." Claims 6, 12, 17, 21, and 26 recite similar features.

Wall fails to disclose pre-configuring virtual machines with virtual machine files associated with an IT exercise and launching the virtual machines in a virtual machine state and operating system, using the set of virtual machine files. Wall discloses hardware and software simulators that can be activated by a user to place the simulators into various states. However, the hardware and software simulators are not *pre-configured* to a specific state associated with an IT exercise, as claimed in the current invention. Rather, the simulators merely present various abstracted sub-components (e.g., icons for

connectors, cables, ports, straps, etc.) that can be manipulated on a screen in order to provoke a certain state. See Wall at fig. 10a-10l. For example, Wall states:

> Using the interface 210, the end-user can manipulate the various abstracted sub-components of the hardware simulator 302 as part of a lesson plan. For example, the end-user may turn on or off various switches, make connections, turn on power to the device, et cetera, by effectuating an appropriate pointing device (e.g., a mouse) on the icons of the interface 210. Also, various software commands for the device may be entered through a software command interface portion of the user interface 210.
>
> See col. 5 lines 25-40.
>
> In this example, after launching the ICBT simulator system (step 902) and activating the user interface (step 904) as described hereinabove, the end-user initializes and configures the device in accordance with a lesson plan, learning module, etc. Thereafter, the end-user enters a command for effectuating a hardware, software, or firmware function of the emulated device.
>
> See, Col. 9 lines 48-55.

Wall fails to disclose pre-configuring simulators to launch in a certain state and operating system associated with an IT exercise. The present invention, on the other hand, provides a controlled testing environment by launching one or more virtual machines automatically into a particular state and operating system corresponding to a specific IT exercise. See Specification at least at pg. 7 lines 25-pg. 8 lines 9.

As such, Wall fails to anticipate the claimed features of at least claims 1, 6, 12, 17, 21, and 26. Additionally, dependent claims 4-5, 9-11, 14-16, 19-20, 24-25 and 29-30 depend from and add features to independent claims 1, 6, 12, 17, 21, and 26. As such, these claims are allowable at least by virtue of their dependency and the additional features they provide.

REJECTION UNDER 35 U.S.C. § 103(a)

Claims 2, 7, 13, 22, and 27 are currently rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wall in view of U.S. Patent No. 6,099,320 to Papadopoulos.

Claims 3 and 23 are currently rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wall and Papadopoulos in further view of U.S. Patent No. 6,033,226, to Bullen.

Claims 32-36 and 38 are currently rejected twice under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wall in view of Bullen and allegedly being unpatentable over Wall in view of U.S. Patent No. 6,075,938 to Bugnion et al.

These alleged combinations fail to cure the deficiencies with respect to Wall as discussed above. For at least this reason, claims 2, 3, 7, 13, 22, 23, 27, 32-36, and 38 are allowable over the cited references.

For the foregoing reasons, reconsideration and allowance of all the claims pending in the application are requested. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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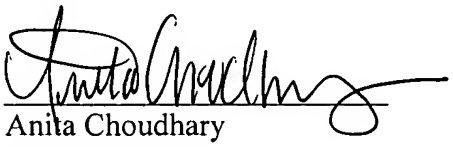
Respectfully submitted,



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